



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/763,200

01/26/2004

Akira Miyajima

P23932

6443

7055 7590 06/24/2008
GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

ADDY, THUAN KNOWLIN

ART UNIT

PAPER NUMBER

2614

NOTIFICATION DATE

DELIVERY MODE

06/24/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
pto@gbpatent.com

Office Action Summary	Application No. 10/763,200	Applicant(s) MIYAJIMA, AKIRA	
	Examiner THJUAN K. ADDY	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/23/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 9 is objected to because of the following informalities: Line 6, of Claim 9, has a ";" at the end. Examiner believes that there should be a "." at the end.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Takeda et al. (US 6,829,232).

3. In regards to claims 1, 5, 11, 14, 15, 16, 17, 18, and 19, Takeda discloses an Internet telephone apparatus connected to a server (See Fig. 1 and server 3), the server storing an IP address corresponding to a telephone number of a call destination (See Abstract, Fig. 9, col. 2 lines 46-48, and col. 7 lines 2-17), a plurality of telephone apparatuses (See Fig. 1 and subscriber's terminals 9 [9a and 9b]) being associated with the call destination, the Internet telephone apparatus comprising: a controller (See Fig.

1 and service control gateway 1a) configured to transmit the telephone number of the call destination to the server, to receive an IP address corresponding to the telephone number of the call destination from the server, and to access the call destination for a call over the Internet based on the IP address (See col. 6 lines 1-7 and col. 6 lines 33-48); said controller, when a predetermined symbol is detected in the IP address, converts the predetermined symbol into a numeric value, and accesses a predetermined one of the plurality of telephone apparatuses associated with the call destination based on the IP address including the numeric value; and said controller, when the predetermined telephone apparatus of the call destination is unavailable, reconverts the predetermined symbol into another numeric value, and accesses another telephone apparatus of the plurality of telephone apparatuses based on the IP address including the another numeric value without user intervention at the Internet telephone apparatus (See Abstract, col. 9-10 lines 39-6, and col. 12-13 lines 52-14).

4. In regards to claim 2, Takeda discloses the Internet telephone apparatus, wherein the predetermined symbol is included in a host address of the IP address (See col. 8 lines 19-31).

5. In regards to claim 3, Takeda discloses the Internet telephone apparatus, wherein the host address is the first octet of the IP address (See col. 8 lines 19-31).

6. In regards to claim 4, Takeda discloses the Internet telephone apparatus, wherein the controller receives the IP address including the predetermined symbol from the server, when the controller transmits, to the server, a telephone number indicating all of the telephone apparatuses associated with the call destination (See Abstract, col. 6

lines 1-7, and col. 6 lines 33-48).

7. In regards to claim 6, Takeda discloses the Internet telephone apparatus, wherein the predetermined symbol is included in a host address of the IP address (See col. 8 lines 19-31).

8. In regards to claim 7, Takeda discloses the Internet telephone apparatus, wherein the controller receives, from the server, the IP address including the predetermined symbol and the range information, when the controller transmits, to the server, a telephone number indicating that the Internet telephone apparatus automatically and sequentially accesses the plurality of telephone apparatuses associated with the call destination (See Abstract, col. 9-10 lines 39-6, and col. 12-13 lines 52-14).

9. In regards to claim 8, Takeda discloses the Internet telephone apparatus, wherein the controller receives, from the server, the IP address including the predetermined symbol and the range information, when the controller transmits, to the server, a telephone number indicating all of the telephone apparatuses associated with the call destination (See col. 9-10 lines 39-6 and col. 12-13 lines 52-14).

10. In regards to claim 9, Takeda discloses the Internet telephone apparatus, wherein the controller first accesses a telephone apparatus associated with the call destination based on a starting IP address of the range; said controller, when the accessed telephone apparatus is unavailable, sequentially accesses a next telephone apparatus associated with the call destination until reaching a telephone apparatus corresponding to the last IP address of the range; [.] (See col. 6 lines 1-7 and col. 6 lines 33-48).

11. In regards to claim 10, Takeda discloses the Internet telephone apparatus,

wherein the controller receives, from the server, the IP address including the predetermined symbol and the range information, when the controller transmits, to the server, a telephone number indicating a telephone apparatuses associated with the call destination (See col. 9-10 lines 39-6 and col. 12-13 lines 52-14).

12. In regards to claims 12 and 13, Takeda discloses an adapter (See Fig. 1 and SCP 4) for an Internet telephone, connected to an telephone apparatus and to a server (See Fig.1 and server 3), the server storing an IP address corresponding to a telephone number of a call destination, a plurality of telephone apparatuses (See Fig. 1 and subscriber's terminals 9 [9a and 9b]) being associated with the call destination (See Abstract, Fig. 9, col. 2 lines 46-48, and col. 7 lines 2-17), the adapter comprising: a connector configured to connect to the Internet telephone apparatus; a controller (See . 1 and service control gateway 1a) configured to receive the telephone number of the call destination from the telephone apparatus, to transmit the telephone number of the call destination to the server, to receive the IP address corresponding to the telephone number from the server, and to access the call destination for a call over the Internet based on the IP address (See col. 6 lines 1-7 and col. 6 lines 33-48); said controller, when a predetermined symbol is detected in the IP address, converts the predetermined symbol into a numeric value, and accesses a predetermined one of the plurality of telephone apparatuses associated with the call destination based on the IP address including the numeric value; and said controller, when the predetermined telephone apparatus of the call destination is unavailable, reconverts the predetermined symbol into another numeric value, and accesses another telephone apparatus of the

plurality of telephone apparatuses based on the IP address including the another numeric value without user intervention at the calling telephone apparatus (See Abstract, col. 9-10 lines 39-6, and col. 12-13 lines 52-14).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Furukawa et al. (US Patent Application, Pub. No.: US 2002/0009073 A1) teach a terminal-to-terminal communication connection control method using IP transfer network.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/
Primary Examiner, Art Unit 2614